



3-8-05

Docket: 16014.900100

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Douglas PEERY

Serial No: 10/663,392

Filed: September 16, 2003

For: DRYWALL CONSTRUCTION DEVICE

Art Unit: 3637

Examiner: Not Assigned

**PETITION TO WITHDRAW HOLDING OF
ABANDONMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for Express Mail in an envelope addressed to:


Commissioner for Patents
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Alexandria, VA 22313-1450, on

March 4, 2005

Date of Deposit

Heather B. Centurioni

Name


Signature

03/03/05
Date

Dear Sir:

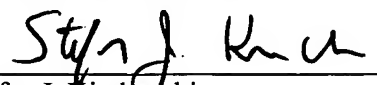
We petition the Office to withdraw the Notice of Abandonment dated November 8, 2004. In response we have attached our Response to Notice to Filing Missing Parts dated January 20, 2004. In addition, we have included a copy of the return postcard which is clearly stamped by the OIPE on January 23, 2004. Because the attached documents clearly indicate that a timely response was made, we respectfully request that the abandonment to be withdrawn and that the instant case be advanced to examination..

In initially replying to the Notice of Abandonment of November 8, 2004 we mistakenly submitted a petition based on alternate grounds for abandonment. We also request that the Petition to Revive an Unintentionally Abandoned Application filed December 20, 2004 be removed from the file as it was not properly responsive and its presence in the file will prove confusing. If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-2899, referencing docket number 16014.900100.

Respectfully submitted,

LINER YANKELEVITZ
SUNSHINE & REGENSTREIF LLP

Date: March 3, 2005

By: 
Stefan J. Kirchanski
Registration No. 36,568
Attorney for Applicant(s)

1100 Glendon Avenue, 14th Floor
Los Angeles, CA 90024
Phone: (310) 500-3500
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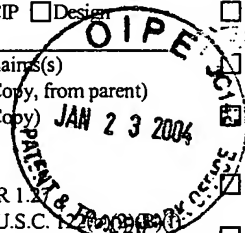
S.N. 10/663,392 File No. 358072.00100 Mailed 1/20/04 By: SJK/hdb

Title: CONSTRUCTION RELATED INVENTION

Client Name: PEERY

The following, due 2/9/04 in the U.S. Patent & Trademark Office, was received in the Patent & Trademark Office on the date stamped hereon:

- ☒ **FEE TO BE PAID BY DEPOSIT ACCOUNT:** ☐ Filing ☐ Extension ☒ Surcharge ☐ Recordation
☐ Issue ☐ Petition ☐ IDS ☐ Appeal ☐ Other
- ☐ Patent Appln: ☐ Prov1 ☐ Utility ☐ Div. ☐ Cont. ☐ CIP ☐ Design ☐ Preliminary Amendment
- Parent/Prior Appln. No. if applicable: _____ Letter of Transmittal
- _____ Pages Spec. _____ Page Abstract _____ Claims(s) _____ Drawings, _____ Sheets
- ☒ Declaration/Power of Attorney ☐ UNSIGNED (☐ Copy, from parent) ☐ Formal ☐ Informal
- ☒ Assignment and Recordation Cover Sheet (☐ Copy) ☒ Priority Document
- ☐ Check No. _____ for \$ _____
- ☐ Check No. _____ for \$ _____
- ☐ Assertion of Small Business Entity Status Under 37 CFR 1.33
- ☐ Request for Nonpublication and Certification Under 35 U.S.C. 122(b) ☐ Status Request
- ☐ RCE/☐ CPA ☐ Certificate of Express Mail, Label No. _____
- ☐ Amendment/Response ☐ Restriction Req. ☐ After Final ☐ After Allowance
- ☐ Request for Extension of Time, _____ month(s)
- ☐ Revocation and Power of Attorney ☐ Statement Under 37 CFR 3.73(b)
- ☐ Change of Correspondence Address ☐ Associate Power of Attorney ☐ Associate With Customer Number
- ☐ Petition for _____
- Country _____ Doc. No. _____
- ☐ IDS: _____ Reference(s)
- ☐ Enclosed ☐ Listed only
- ☐ Certified Copy, _____ Docs
- ☒ Response to Missing Parts
- ☒ Copy of Notice
- ☐ Notice of Appeal ☐ Brief
- ☐ Issue Fee Transmittal
- ☐ Advance soft copy order





PATENT
358072.00100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Douglas PEERY

Serial No: 10/663,392

Filed: September 16, 2003

For: DRYWALL CONSTRUCTION DEVICE

Art Unit: Not Assigned

Examiner: (Not Assigned)

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF APPLICATION**

Mail Stop MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313

Dear Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450, on

January 20, 2004

Date of Deposit

Heather B. Del Bosco

Name

Signature  01/20/04
Date

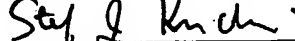
In response to the "Notice to File Missing Parts of Application, Filing Date Granted," dated December 9, 2003, response to which is due February 9, 2004, enclosed are the following:

- ☒ A copy of the "Notice to File Missing Parts of Application Filing Date Granted."
- ☒ A "Declaration and Power of Attorney" executed by the inventor(s).
- ☐ An executed "Power of Attorney by Assignee."
- ☒ Surcharge for late filing of Declaration.
Fee: \$ 65 ☐ Check enclosed
- ☐ A "Petition for Extension of Time" for month(s).
Fee: \$ ☐ Check enclosed
- ☐ Filing Fee: \$ ☐ Check enclosed
- ☒ An executed Assignment with Recordation Cover Sheet.
Recordation Fee: \$ 40 ☐ Check enclosed
- ☒ Return postcard.

The Commissioner is authorized to charge any underpayment to Deposit Account No. 50-2567, referencing docket number 358072. A copy of this letter is enclosed.

Respectfully submitted,

REED SMITH

By: 

Stefan J. Kirchanski

Registration No. 36,568

Attorney for Applicant(s)

Date: January 20, 2004

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